

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FLORENCE WALLACE, ET AL.

Plaintiffs,

v.

ROBERT J. POWELL ET AL.,

Defendants.

**CONSOLIDATED TO:**

Civil Action No. 3:09-cv-0286

(JUDGE CAPUTO)

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM CONWAY, ET AL.,

Plaintiffs,

v.

JUDGE MICHAEL T. CONAHAN, ET  
AL.,

Defendants.

Civil Action No. 3:09-cv-0291

(JUDGE CAPUTO)

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

H.T., ET AL.,

Plaintiffs,

v.

MARK A. CIAVARELLA, JR., ET  
AL.,

Defendants.

Civil Action No. 3:09-cv-0357

(JUDGE CAPUTO)

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SAMANTHA HUMANIK,

Plaintiffs,

v.

MARK A. CIAVARELLA, JR., ET  
AL.,

Defendants.

Civil Action No. 3:09-cv-0630

(JUDGE CAPUTO)

**ABBREVIATED INDIVIDUAL CIVIL ACTION COMPLAINT  
SHORT FORM FOR LUZERNE COUNTY LITIGATION AND ADOPTION  
BY REFERENCE**

1. Plaintiff for his/her claims against Defendants states and alleges as follows and incorporates by reference relevant portions of the Master Long Form Complaint in *Wallace, et al v. Powell, et al.* 09-0286. Plaintiff selects and indicates by checking off appropriate boxes those claims that are specific to his or her case.

2. Plaintiff, Christopher McDermott, brings this action:

  X   on behalf of him or herself;

       as the parent and natural guardian of (minor's name), a  
minor, born on (date of birth of minor); or

       As guardian of next friend of (minor's name), a minor, born on  
(date of birth of minor)

3. Plaintiff is an individual who resides at 92 Tunkhannock Highway, Dallas, Pennsylvania.

4. The name of the juvenile who appeared before Judge CIAVARELLA between 2003 and 2008 is Christopher McDermott.

5. Plaintiff claims damages as a result of:

  X   RICO violations;

  X   Conspiracy to commit RICO violations;

  X   Procedural Due Process violations under 42 U.S.C. § 1983;

  X   Substantive Due Process violations under 42 U.S.C. § 1983;

  X   Civil Conspiracy;

  X   False Imprisonment.

6. Between August of 2005 through January of 2007, Christopher McDermott, then a minor, appeared before Defendant CIAVARELLA in Luzerne County Juvenile Court for an adjudication hearing.

7. At no time prior to or during Christopher McDermott's adjudication hearing was it disclosed that Defendants CIAVARELLA and/or CONAHAN had any conflict of interest, or that they had a financial interest in Defendants PACC and/or WPACC or that Defendants CONAHAN and/or CIAVARELLA agreed to place children in Defendants PACC and/or WPACC.

8. Intentionally left blank.

9. As a result of the order for detention and/or psychological evaluation, Christopher McDermott was detained, lodged and/or incarcerated in:

- ☐ PA Child Care, LLC;
- ☐ Western Pa Child Care, LLC; and/or
- ☐ Perseus House

10. Intentionally left blank.

11. The following claims asserted in the Master Long Form Complaint and the allegations with regard thereto in the Master Complaint are hereby adopted by reference:

- ☒ Count I: Violation of RICO, 18 U.S.C. § 1961, et seq.
- ☒ Count II: Conspiracy to Violate RICO
- ☒ Count III: Deprivation of Substantive and Procedural Due Process Rights Pursuant to the Civil Right Act of 1871, 42 U.S.C. § 1983
- ☐ Count IV: Deprivation of Rights Pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983
- ☐ Count V: Deprivation of Substantive Due Process Rights Pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983
- ☒ Count VI: Deprivation of Substantive and Procedural Due Process Rights Pursuant to the Civil Right Act of 1871, 42 U.S.C. § 1983
- ☐ Count VII: Deprivation of Rights Pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983

X   Count VIII: Civil Conspiracy

  X   Count IX: False Imprisonment

       Count X: State Action for False Imprisonment, Unlawful  
Restraint, Medical Malpractice and Battery

12. The following damages asserted in the Master Long Form Complaint and the allegations with regard thereto in the Master Complaint are herein adopted by reference:

  X   Wages garnished, public assistance monies taken, social security benefits seized, and were otherwise forced to pay for the wrongful incarceration of the juvenile offenders, in addition to injuries to their business and property.

  X   Physical and personal injuries, pecuniary harm and damages, emotional distress, mental anguish and/or loss of the value of constitutional rights to Plaintiffs some or all of which may be permanent in nature.

  X   Pecuniary harm, deprivation of property, and incurred damages for the placement, housing and lodging of their children at the juvenile detention facilities owned by Defendants PACC and/or WPACC.

  X   Physical and personal injuries, emotional distress and/or mental anguish, some or all of which may be permanent in nature.

  X   Parent Plaintiffs loss of property rights and deprivation of right to familial integrity and wages garnished, public assistance monies taken, social security benefits seized, and were otherwise forced to pay for the wrongful incarceration of the juvenile offenders, in addition to injuries to their business and property. Juvenile Plaintiffs being unlawfully detained at either PACC or WPACC and physical and personal injuries, emotional distress and/or mental anguish, some or all of which

may be permanent in nature in addition to the unlawful detention.

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DATE: September 13, 2010

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